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9 UNITED STATES DISTRICT  
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MARY ANN BLIESNER,  
15 VALLEY PROCESSING, INC.,

16 Defendants

Case No.: 1:22-CR-2097-SAB

United States' Sentencing  
Memorandum

17 The United States of America, by and through Richard R. Barker, Acting  
18 United States Attorney for the Eastern District of Washington, and Tyler H.L.  
19 Tornabene, Assistant United States Attorney, hereby respectfully submits its  
20 Sentencing Memorandum. Consistent with the plea agreements in this case, the  
21 United States recommends that Defendant Bliesner be sentenced to three years of  
22 probation, followed by one year of supervised release, and that she, and Defendant  
23 Valley Processing, be ordered to pay a money judgment in the amount of \$742,139.  
24 This recommendation is a fair, just, and reasonable sentence that is no greater than  
25 necessary to meet the interests of federal sentencing principles.

26 **I. Background**

27 The Defendants were indicted on September 13, 2022, with, *inter alia*,  
28

1 Conspiracy to Introduce Adulterated Food Into Interstate Commerce, in violation of  
2 21 U.S.C. §§ 331(a), 333(a)(2) and 342(a)(1), (a)(3), (a)(4), (b)(3) and (b)(4),  
3 stemming from their participation in a years long scheme to sell adulterated,  
4 misbranded, and unsafe fruit juice and fruit juice concentrate nationwide. *See* ECF  
5 No. 1. On December 17, 2024, Defendant Valley Processing pleaded guilty to Count  
6 1 of the Indictment, Conspiracy to Introduce Adulterated Food Into Interstate  
7 Commerce. ECF No. 170. On that same day, Defendant Bliesner pleaded guilty to  
8 Introducing Adulterated Food into Interstate Commerce in violation of 21 U.S.C.  
9 §§331(a), 333(a)(1), and 342(a)(1), (a)(3), (a)(4), (b)(3) and (b)(4) and Failure to  
10 Register a Food Facility in violation of 21 U.S.C. §§ 331(dd), 333(a)(1) and 350d.<sup>1</sup>

## 11 **II. Offense Level and Criminal History**

12 The United States has reviewed the draft Presentence Investigation Reports  
13 for each of the Defendants, (ECF Nos. 54 and 55), and has no objections to either.  
14 The United States does note that given the Guideline calculation for Defendant  
15 Bliesner in her PSIR (ECF No. 54), it would appear that she is eligible for a reduction  
16 of three (3) offense levels based on acceptance of responsibility under U.S.S.G.  
17 §3E1.1(a) and (b), and the United States requests that this Court include that in its  
18 calculation of Defendant Bliesner's offense level.

19 Accordingly, the United States calculates Defendant Bliesner's final offense  
20 level as 17. *See* ECF No. 54 at 10. The United States agrees with the PSIR that  
21 Defendant Bliesner has a criminal history score of 0 resulting in a Criminal History  
22 Category of I. ECF No. 54 at 11. This results, when combined with the statutory  
23 maximums of the offenses to which she has pleaded guilty, in a Guideline sentence  
24 of 24 months and being ineligible for probation under the Guidelines due to being in  
25 Zone D. ECF No. 54 at 15. For the reasons stated below, and consistent with the

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27 <sup>1</sup> These violations are lesser included offenses of Counts 2 and 4, respectively, of  
28 the Indictment.

1 plea agreement, the United States nonetheless recommends that this Court impose 3  
2 years of probation as the term of incarceration for Defendant Bliesner, followed by  
3 1 year of supervised release. The United States further recommends that Defendant  
4 Bliesner be ordered, along with Defendant Valley Processing, to pay a money  
5 judgment in the agreed upon amount of \$742,139, and that this Court impose no  
6 additional criminal fine.

7 As to Defendant Valley Processing, the United States agrees with the PSIR  
8 calculations resulting in an offense level of 22 and a total Culpability Score of 8.  
9 ECF No. 55 at 10. The United States agrees that Defendant Valley Processing is no  
10 longer operational and therefore probation or imposition of a criminal fine (in  
11 addition to the agreed upon \$742,139 money judgement) is not warranted here and  
12 should not be imposed on Defendant Valley Processing.

### 13 **III. 18 U.S.C. § 3553(a)**

14 Pursuant to 18 U.S.C. § 3553(a), the Court must impose a sentence that is  
15 sufficient, but no greater than necessary, upon consideration of the following  
16 factors: (1) the nature and circumstances of the offense and history and  
17 characteristics of the defendant; (2) the need for the sentence to reflect the  
18 seriousness of the offense, to promote respect for the law, and provide just  
19 punishment for the offense, as well as to afford deterrence, protect the public from  
20 further crimes of the defendant and provide the defendant training and treatment;  
21 (3) the kinds of sentences available; (4) the established Guidelines sentencing  
22 ranges; (5) the need to avoid unwarranted sentence disparity between defendants  
23 with similar records convicted of similar crimes; and (6) the need to provide  
24 restitution to the victims of the offense. 18 U.S.C. § 3553(a).

25 When all sentencing factors are considered in their totality, a sentence of 3  
26 years of probation followed by 1 year of supervised release, a money judgment of  
27 \$742,139 (joint and several with Defendant Valley Processing), and two \$25  
28 special penalty assessments for each count pleaded to, is just and appropriate as to

1 Defendant Bliesner. As to Defendant Valley Processing, a sentence to pay the  
2 money judgment amount of \$742,139, is appropriate and should be imposed by  
3 this Court, along with the required special penalty assessment of \$400.

4 **IV. Conclusion**

5 The United States recommends the respective sentences be imposed as to the  
6 Defendants in this case consistent with their respective plea agreements.

7 DATED June 4, 2025.

8 Richard R. Barker  
9 United States Attorney

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27 **CERTIFICATE OF SERVICE**  
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1 I hereby certify that on June 4, 2025, I electronically filed the foregoing with  
2 the Clerk of the Court using the CM/ECF system which will send notification of  
3 such filing to the following:

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*s/Tyler H.L. Tornabene*

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